

PRESIDING OFFICER'S  
RULING NO. R97-1

UNITED STATES OF AMERICA  
POSTAL RATE COMMISSION  
WASHINGTON, D.C. 20268

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POSTAL RATE COMMISSION  
OFFICE OF THE SECRETARY

Postal Rate and Fee Changes

Docket No. R97-1

PRESIDING OFFICER'S RULING  
GRANTING MOTIONS FOR LATE ACCEPTANCE  
AND MOTIONS FOR EXTENSION OF TIME

(September 8, 1997)

The Postal Service has filed several motions for late acceptance of responses to interrogatories directed to its witnesses.<sup>1</sup> The Postal Service indicates that witness O'Hara's response to OCA/USPS-T30-3 was inadvertently omitted from responses forwarded on August 22, 1997. Witness O'Hara's responses to the Direct Marketing Association's interrogatories 4 and 5 were filed late as the responses required extensive consultation with other Postal Service personnel, some of whom were unavailable for consultation earlier. Interrogatories from Time Warner to witness Degen were provided one day out of time and arrangements were made for expedited service to Time Warner counsel, who did not object to the motion. The Office of the Consumer Advocate interrogatories, redirected from witness Fronk to the Postal Service, required identification of various sources of information and consultation with personnel.

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<sup>1</sup> Response of United States Postal Service witness O'Hara to Interrogatory of the Office of the Consumer Advocate and Motion for Late Acceptance, filed August 26, 1997; Responses of United States Postal Service Witness O'Hara to Interrogatories of Direct Marketing Association and Motion for Late Acceptance, filed September 2, 1997; Response of United States Postal Service Witness Degen to Interrogatories of Time Warner, Inc. (TW/USPS-T12-9-17) and Motion for Late Acceptance, filed September 4, 1997; Responses of the United States Postal Service to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance, filed September 4, 1997.

Additionally, the Postal Service filed two motions for extension of time to file responses.<sup>2</sup> The Postal Service has indicated that the Office of the Consumer Advocate does not object to the requested three day extension, and it will provide responses as soon as possible. With respect to the Val-Pak interrogatory, the Postal Service has indicated that it will provide its response to counsel for Val-Pak by facsimile on September 5, 1997, a one day extension.

As it appears that no party will be prejudiced by these requests, I will grant the motions.

### RULING

1. The Response of United States Postal Service Witness O'Hara to Interrogatory of the Office of the Consumer Advocate and Motion for Late Acceptance, filed August 26, 1997, is granted.

2. The Responses of United States Postal Service Witness O'Hara to Interrogatories of Direct Marketing Association and Motion for Late Acceptance, filed September 2, 1997, is granted.

3. The Response of United States Postal Service Witness Moden to Interrogatories of the Office of the Consumer Advocate (OCA/USPS-T4-1, 3-8(A) &(B)) and Motion for Extension of Time to Reply to Interrogatory OCA/USPS-T4-2, filed September 2, 1997, is granted.

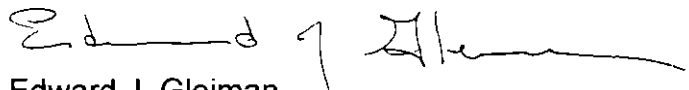
4. Response of United States Postal Service Witness Degen to Interrogatories of Time Warner, Inc. (TW/USPS-T12-9-17) and Motion for Late Acceptance, filed September 4, 1997, is granted.

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<sup>2</sup> Response of United States Postal Service Witness Moden to Interrogatories of the Office of the Consumer Advocate (OCA/USPS-T4-1, 3-8(A) & (B)) and Motion for Extension of Time to Reply to Interrogatory OCA/USPS-T4-2, filed September 2, 1997; and Response of United States Postal Service witness Daniel to Interrogatories of Val-Pak Direct Marketing Systems, Inc., Val-Pak Dealers' Association, Inc., and Carol Wright Promotions, Inc. (VP-CW-USPS-T29-1-2(a) & (c)) and Motion for Extension of Time to File Response to VP-CW/USPS-T29-2(B), filed September 4, 1997.

5. The Responses of the United States Postal Service to Interrogatories of the Office of the Consumer Advocate and Motion for Late Acceptance (OCA/USPS-T32-8 through T32-10 and T32-45), filed September 4, 1997, is granted.

6. The Response of United States Postal Service Witness Daniel to Interrogatories of Val-Pak Direct Marketing Systems, Inc., Val-Pak Dealers' Association, Inc., and Carol Wright Promotions, Inc. (VP-CW/USPS-T29-1-2(a) & (c)) and Motion for Extension of Time to File Response to VP-CW/USPS-T29-2(B), filed September 4, 1997, is granted.

A handwritten signature in black ink, appearing to read "Edward J. Gleiman", followed by a vertical line and another signature.

Edward J. Gleiman  
Presiding Officer